

Notice of Allowability

Application No.

10/762,321

Examiner

Robert J. McCarry, Jr.

Applicant(s)

SEBATA ET AL.

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed on 01/23/04.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 23 January 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: applicant recites a railway car comprised of a car body, a subframe disposed below a floor of the car body with a clearance there between, a bogie disposed below the subframe also with a clearance there between. The car body and subframe are connected by a first center pin protruding either upward from the subframe or downward from the car body. The subframe and the bogie are connected by a second center pin protruding either downward from the subframe or upward from the bogie. The body can rotate freely in a width direction with the center of rotation corresponding to a longitudinal direction of the car body. The lower ends of the surface of the body or the upper ends of the surface of the subframe are arc shaped with a center corresponding to the center of rotation. The upper surface of the subframe or the lower surface of the body is in contact with the arc shaped surface by way of rollers. The device is further comprised of a bumper assembly disposed at both sides of a tip portion of the first center pin in the width direction of the car body. The bumper assembly has a first bumper which exerts a large shock absorbing power and a second bumper that exerts a smaller shock absorbing power. Both bumper portions are mounted serially in respect to each other.

The prior art made of reference, taken singularly or in combination, does not adequately disclose the features recited in the instant claims.

Specifically, the prior art of Takai (US 4,408,541) discloses an assembly connecting a car body 6, to an underframe 4, which is then mounted to a bogie (not shown). However, Takai makes no mention of the lower portion of the body or the upper

surface of the subframe to have arced surfaces. Takai also makes no mention of the body or the subframe being in contact with the arced surface by way of rollers.

The prior art of Ladendorf et al (US 6,398,047) discloses a subframe mounted on a bogie by a center pin. However, Ladendorf et al makes no mention of a center pin for connecting a body to the underframe, not does Ladendorf et al disclose arced surfaces or rollers.

The prior art of Takeichi et al (US 6,651,567) discloses a car body mounted on a subframe with a center pin extending downward for mounting to a bogie. However, Takeichi et al does not disclose a center pin assembly for mounting the car body to the subframe. Takeichi et al also does not disclose arced surfaces on the car body or the subframe and Takeichi et al makes no mention of rollers connecting the subframe and the body.

In regards to the prior art reference cited by the applicant. The reference was not cited using the proper form so the Examiner has included the foreign reference on the Notice of References Cited so that it is made part of the official record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. McCarry, Jr. whose telephone number is (703)

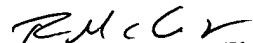
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305-0581. The examiner can normally be reached on Monday through Friday 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Joseph Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJM
January 21, 2005


ROBERT J. MCCARRAY, JR.
PATENT EXAMINER
3617


S. JOSEPH MORANO
SUPERVISORY PATENT EXAMINER
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